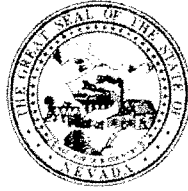


STATE OF NEVADA



COMMISSION ON ETHICS

**In The Matter Of The Request For Opinion
Concerning The Conduct Of
Carlton S. Thomas and James Ithurralde,
Members of Eureka County Recreation Board,
Eureka County, State of Nevada.**

**Request for Opinion
Nos. 07-30C & 07-31C**

**COMMISSION PANEL DETERMINATION
COMMISSION PANEL: CAREN JENKINS AND GEORGE KEELE**

On July 20, 2007, the Commission accepted jurisdiction based on the information submitted with the Request for Opinion. On November 20, 2007, a Commission Panel voted to combine the above-mentioned Requests for Opinion in Nos. 07-30C and 07-31C. The Subjects waived confidentiality between the two Subjects, so the matters were heard together.

Pursuant to NRS 281A.400.3, a Commission Panel reviewed the Executive Director's Report and Recommendation Regarding Just and Sufficient Cause, the request for opinion, and all related documents that Carlton S. Thomas and James Ithurralde violated NRS 281A.400.2, NRS 281A.420.2 and NRS 281.420.4. They failed to disclose their membership in the Veterans of Foreign Wars (VFW) at the April 26, 2007 meeting of the Eureka County Recreation Board. They voted to spend money on banners honoring soldiers a project sponsored by the VFW.

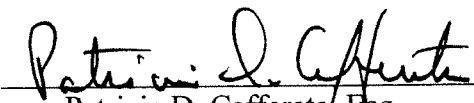
The Panel determined that the Commission lacked jurisdiction on the matter because the Eureka County Recreation Board is merely advisory pursuant to NRS 244A.597. The Panel referred the matter back to the original Jurisdiction Panel with instructions to dismiss the Requests for Opinion, if the Jurisdiction Panel also found that the Commission lacked jurisdiction.

On December 11, 2007, the Jurisdictional Panel reviewed additional information concerning the Eureka County Recreation Board, including NRS 244A.597 and NRS 244A.599 found in Mr. Thomas and Mr. Ithurralde's response to the complaint. These statutes define the requirements for creating a county recreation board. Eureka County had not followed the statutory requirements.

The Panel determined that the complaint would cause the Commission to have jurisdiction, if the individuals complained of were "public officers." The Eureka County Recreation Board, however, is advisory only and thus, its members are not "public officers" within the meaning of NRS Chapter 281A. Consequently, the Commission has no jurisdiction over this matter.

Therefore, the Requests for Opinion are DISMISSED.

DATED: December 17, 2007.


Patricia D. Cafferata, Esq.
Executive Director